



PATENT
ATTY DOCKET NO. 13819.71

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Michael S. Popovich et al.)
Title: Cartridge Strip Advancing)
Mechanism For Fastener)
Driving Tool)
Serial No: 10/653,038)
Confirm. No: 1541)
Filing Date: August 29, 2003)
Group: 3721)

Certificate of First Class Mailing

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Signed: Michael Mischnick
Michael R. Mischnick

Dated: January 13, 2004

Attention: **Official Draftsperson**
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**LETTER OF TRANSMITTAL OF
FORMAL CORRECTED DRAWINGS**

Sir,

Please accept the enclosed eleven (11) formal corrected sheets of drawings, sheets 1/11 through 11/11 to replace the informal drawings originally filed with patent application Ser. No. 10/653,038. The corrected formal drawings do not constitute new matter under 35 U.S.C. § 132 because they merely correct errors and informalities in the drawings as filed.

Respectfully submitted,

Dated this 13th day of January, 2004.

Michael Mischnick
Michael R. Mischnick
Reg. No. 52,036
BEEM PATENT LAW FIRM
53 W. Jackson Blvd.
Suite 1352
Chicago IL 60604-3787
Tel. (312) 201-0011
Fax (312) 201-0022



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Signed: Michael R. Mischnick
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Dated: January 13, 2004

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Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir,

Submitted herewith are the following documents to complete the filing of utility patent application SN 10/653,038. This response is timely, within two months of the date of the Notice to File Missing Parts, dated 11/25/03. The documents included with this response are:

1. Transmittal Form
2. Notice to File Missing Parts of Nonprovisional Application
3. Declarations And Power of Attorney For Patent Application, 37 CFR 1.63
4. Assignment of Rights, Title and Interest in Invention
5. Fee Transmittal with fee payments totaling \$940.00 including:
 - Statutory Basic Filing Fee of \$770.00,
 - Fee for Filing Oath or Declaration Late of \$130.00
 - Assignment Recordation Fee of \$40.00
6. Letter of Transmittal of Corrected Formal Drawings
7. 11 Sheets of Formal Drawings – Sheets 1/11 through 11/11
8. Information Disclosure Statement and copies of Cited References
9. Return Receipt Postcard

"Response To Notice To File Missing Parts"

If there are any charges in connection with the prosecution of this application that are not otherwise paid, please charge the deposit account #502195 for Beem Patent Law Firm.

Dated this 13th day of January, 2004.

Respectfully submitted,



Michael R. Mischnick
Reg. No. 52,036
BEEM PATENT LAW FIRM
53 W. Jackson Blvd., Suite 1352
Chicago IL 60604-3787
Tel. (312) 201-0011



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/653,038	08/29/2003	Michael Popovich	13819.71

33297
 BEEM PATENT LAW FIRM
 53 W. JACKSON BLVD., SUITE 1352
 CHICAGO, IL 60604-3787



CONFIRMATION NO. 1541

FORMALITIES LETTER



OC000000011351854

Date Mailed: 11/25/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

01/21/2004 AWONDAF1 00000033 10653038

Commissioner for Patents

01 FC:1001

770.00 OP


P.O. Box 1450

02 FC:1051

130.00 OP

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 940.00

Complete if Known

Application Number	10/653,038
Filing Date	08/29/2003
First Named Inventor	Michael S. POPOVICH
Examiner Name	
Group Art Unit	3721
Attorney Docket No.	13818.71

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 502195
Deposit Account Name: Beem Patent Law Firm

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	770.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 770.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
14	-20** = 0	0.00	0.00
1	-3** = 0	0.00	0.00
Multiple Dependent		0.00	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 170.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael R. Mischnick	Registration No. (Attorney/Agent)	52,036	Telephone	(312) 201-0011
Signature	Michael Mischnick	Date	01/13/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/653,038	
	Filing Date	August 28, 2003	
	First Named Inventor	Michael S. POPOVICH	
	Art Unit	3721	
	Examiner Name		
Total Number of Pages in This Submission	297	Attorney Docket Number	13819.71

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Post Card	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Declaration of Inventors	
	Assignment	
	Cited References	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Michael R. Mischnick Reg. No 52,036 BEEM PATENT LAW FIRM	
Signature	<i>Michael Mischnick</i>	
Date	January 13, 2004	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Michael R. Mischnick		
Signature	<i>Michael Mischnick</i>	Date	January 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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